



306/101 A

08/476630

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. BIOA5063LBTG

Prior Application: Serial No. 08/214,014 filed March 16, 1994

Examiner: I. Marx Art Unit: 1808

#2/pe
a
8/26/95
MB

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Date of Deposit June 7, 1995

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231

Lynn E Barber

(Printed name of person mailing paper or fee)

Signature: Lynn E Barber

REQUEST FOR FILING DIVISIONAL APPLICATION

THE COMMISSIONER OF PATENTS AND TRADEMARKS
BOX PATENT APPLICATION
WASHINGTON, D.C. 20231

Sir:

This is a request for filing a Divisional application under 37 CFR 1.60, of pending prior application serial no. 08/214,014, filed on March 16, 1994 of inventor (s) Walter J. Dobrogosz and Sven E. Lindgren for ANTIBIOTIC REUTERIN

1. X Enclosed is a complete copy of the prior application including the oath or declaration as originally filed and an affidavit or declaration verifying it a a true copy (below).
2. A verified statement to establish small entity status under 37 CFR 1.9 and 1.27.
 is enclosed
 was filed in the prior application and such status is still proper and desired (37 CFR 1.28(a)).
3. X The filing fee is calculated below:

CLAIMS AS PENDING IN THE PRIOR APPLICATION LESS ANY CLAIMS CANCELED
BY AMENDMENT BELOW

Fee	No. Filed	No. Extra	Small Entity	Large Entity
Basic Fee			\$365	\$730
Total Claims	<u>5</u> -20= <u>0</u>		X11=\$ <u> </u>	or x22=\$ <u> </u>
Independent Claims	<u>4</u> - 3= <u>1</u>		x38=\$ <u> </u>	or x76=\$ <u>76</u>
Multiple Dependent			+120=\$ <u> </u>	or +240=\$ <u> </u>
Total				\$806

4. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 15-0490. A duplicate copy of this sheet is enclosed.
5. X A check in the amount of \$ 806 is ~~enclosed~~.
6. X Cancel in this application claims 1-48, 50-65, of the prior and parent applications before calculating the filing fee.
7. X Amend the specification by replacing lines 2-4 on page 1 as set forth in the attached preliminary amendment, as well as the other amendments set forth therein.
8. Transfer the file wrapper and contents including the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
9. X New formal drawings are enclosed.
10. Priority of application serial no. filed in the country of is claimed under 35 U.S.C. 119.
11. X The prior application is assigned of record to:
Biogaia Biologics AB
12. X The power of attorney in the prior application is to:
Lynn E. Barber, Registration No. 31,734
B.B. Olive, Registration No. 18,267
Olive & Olive, P.A., P.O. Box 2049
Durham, North Carolina 27702-2049
X The power appears in the original papers in the prior application.
 Since the power does not appear in the original

papers, a copy of the power in the prior application is enclosed.

X Address all future communications to:

Lynn E. Barber, Olive & Olive, P.A.

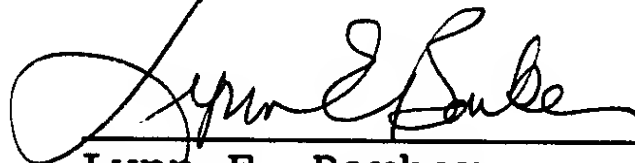
P.O. Box 2049, Durham, NC 27702-2049

13. X A preliminary amendment is enclosed, with any claims numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.

14. X I hereby verify that the attached papers are a true copy of PCT application PCT/US88/01423, for which prior application serial no. 07/268,361, filed September 19, 1988, is the U.S. national phase application.

The undersigned declares further that all statements made herein of his or her own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

June 7, 1995
(date)



Lynn E. Barber

Registration No. 31,734

Attorney or agent of record

(Reg. No. 31,734)

Filed under Sec. 1.34(a)

Address of signatory:

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